

GEORGE BROWN, JR., )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 1:06CV135 CDP  
 )  
 MIKE WILLIAMS, et al., )  
 )  
 Defendant. )

This matter is before the Court on plaintiff's motion for reconsideration and motion for extension of time. The motion for reconsideration will be denied, and the motion for extension of time shall be granted. Additionally, the Court will order plaintiff to file his replies to both pending motions for summary judgment no later than July 12, 2007.

On January 25, 2007, the Court entered a Case Management Order. The Case Management Order clearly stated that discovery was to be completed by April 25, 2007. Additionally, the Case Management Order contained the following warning: “Parties shall file motions to compel in a prompt manner and in no event after the discovery deadline.”

On May 7, 2007, plaintiff filed a motion to compel discovery. The Court denied that motion on May 11, 2006, because the discovery deadline had passed and because plaintiff had not provided any good reason for his failure to complete discovery within the deadline set out in the Case Management Order. Plaintiff now moves the Court to reconsider its Order dated May 11, 2006.

The Court finds that the instant motion for reconsideration lacks merit. The Case Management Order clearly warned that motions to compel would not be heard after the discovery deadline. Because plaintiff did not file any motion to compel before April 25, 2007, he waived his right to bring any such motion. Consequently, the motion shall be denied.

### **Motion for Extension of Time**

Plaintiff filed his motion for extension of time on May 24, 2007. Defendants Simmons, Thomas, Carter, and Sharp filed their motion for summary judgment on May 25, 2007. Pursuant to Local Rule 4.01(B), plaintiff's response to that motion for summary judgment was due June 27, 2007. Accordingly, plaintiff's responses to both motions for summary judgment are overdue. However, because the Court did not rule on plaintiff's motion for extension of time before his response to Williams's motion for summary judgment was due, the Court will grant plaintiff additional time to respond to both motions. Plaintiff's

responses to both pending motions for summary judgment shall be filed no later than July 12, 2007. If plaintiff fails to timely file his responses, this case may be dismissed with prejudice.

Accordingly,

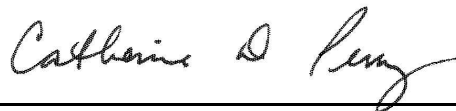
**IT IS HEREBY ORDERED** that plaintiff's motion for reconsideration [33] is **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff's motion for extension of time [34] is **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff's responses to both pending motions for summary judgment shall be filed **no later than July 12, 2007**.

**IT IS FURTHER ORDERED** that if plaintiff fails to timely file his responses, this case may be dismissed with prejudice.

Dated this 28th day of June, 2007.



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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE